

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	}	
UNITED STATES OF AMERICA	}	
	}	
V.	}	CRIMINAL ACTION
	}	NO. 04-10235-MLW
CORY HUBBARD	}	
DEFENDANT	}	
_____	}	

**DEFENDANT'S MOTION TO SUPPRESS EVIDENCE**

Now comes the defendant, Cory Hubbard, in the above-captioned matter, and pursuant to Local Rule 7.1 of the United States District Court for the District of Massachusetts hereby submits this Motion to Suppress.

As grounds, the Defendant states that on February 26, 2004, a New Bedford Police Department detective applied for a search warrant (04 SW 36) for 663 Kempton Street, third floor apartment, New Bedford, occupied or in the possession of Cory Hubbard. On February 28, 2004, this warrant was executed. As a result of this search, the police found, *inter alia*, controlled substances and a firearm.

The Defendant argues that this search was illegal and in violation of the Fourth Amendment. Specifically, the Defendant maintains (1) there was no probable cause for issuing this warrant and (2) the affidavit failed to supply a sufficient nexus between the object of the search and the premises searched. Based upon the foregoing, all evidence seized in connection with this search must be suppressed.

In further support of this motion, the Defendant refers to the attached Memorandum of Law and Affidavit

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1 (D) of the United States District Court for the District of Massachusetts, the Defendant requests that this Court hold oral arguments on this motion.

Respectfully submitted,

Cory Hubbard,  
By his attorney,

/s/ Frank D. Camera  
Frank D. Camera  
BBO #635930  
56 North Main Street #321  
Fall River, MA 02720  
508-677-2878  
508-677-2876 fax

Dated: January 21, 2005